

*This opinion is subject to administrative correction before final disposition.*

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
TANG, LAWRENCE, and FOIL  
Appellate Military Judges

---

**UNITED STATES**  
Appellee

v.

**David RIVERA**  
Gas Turbine System Mechanical  
Third Class (E-4), U.S. Navy  
Appellant

**No. 202000018**

Decided: 27 May 2020

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:  
Chad C. Temple

Sentence adjudged 28 October 2019 by a special court-martial convened at Naval Base San Diego, California, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 12 months, and a bad-conduct discharge.

For Appellant:  
*Commander Michael E. Maffei, JAGC, USN*

For Appellee:  
*Brian K. Keller, Esq.*

---

**This opinion does not serve as binding precedent under  
NMCCA Rule of Appellate Procedure 30.2(a).**

*United States v. Rivera*, NMCCA No. 202000018  
Opinion of the Court

---

PER CURIAM:

After careful consideration of the record, submitted without assignment of error, we have determined that the findings and sentence are correct in law and fact and that no error materially prejudicial to Appellant's substantial rights occurred. Articles 59, 66, Uniform Code of Military Justice, 10 U.S.C. §§ 859, 866.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:

A handwritten signature in blue ink, which appears to read "Rodger A. Drew, Jr.", is written over the printed name.

RODGER A. DREW, JR.  
Clerk of Court